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Election of judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Memorandum by the Secretary-General

Introduction

1. By its resolution 827 (1993) of 25 May 1993, the Security Council decided to establish an international tribunal for the sole purpose of prosecuting persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1 January 1991 ("International Tribunal") and adopt the Statute of the International Tribunal annexed to the Secretary-General's report prepared pursuant to Security Council resolution 808 (1993) of 22 February 1993.

2. By its resolution 1166 (1998) of 13 May 1998, the Security Council decided to establish a third Trial Chamber of the International Tribunal and, to that end, to amend articles 11, 12 and 13 of the Tribunal's Statute and replace those articles with the provisions which are set out in the annex to that resolution. It also decided that three additional judges should be elected as soon as possible to serve in the additional Trial Chamber and that the judges so elected should serve until the date of expiry of the terms of office of the judges currently serving on the Tribunal (16 November 2001).

3. Pursuant to article 13, subparagraph 2 (a), of the Statute of the International Tribunal, the Legal Counsel, on behalf of the Secretary-General, invited, by circular letter of 4 June 1998, all States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters to submit their nominations for judges of the third Trial Chamber of the International Tribunal. In accordance with article 13, subparagraph 2 (b), of the Statute, each State was invited to nominate, within 60 days of the date of the invitation, up to two candidates, no two of whom were to be of the same nationality. The Legal Counsel also referred to article 12 of the Statute of the International Tribunal, in accordance with which no two judges of the Tribunal might be nationals of the same State, and advised States that consequently they might not nominate candidates bearing the same nationality as any of the judges who are currently serving on the Tribunal.

4. The 13 nominations received within the period stipulated in subparagraph 2 (b) of article 13 of the Statute of the International Tribunal were forwarded by the Secretary-General to the President of the Security Council in accordance with article 13, subparagraph 2 (c), of the Statute by means of a letter dated 7 August 1998. At its 3919th meeting, on 27 August 1998, the Security Council, in accordance with subparagraph 2 (c) of article 13 of the Statute, as applied to the current election by paragraph 2 of Security Council resolution 1166 (1998), established a list

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of nine candidates for transmittal to the General Assembly. The list was adopted by the Council in its resolution 1191 (1998) of 27 August 1998 and was formally conveyed to the President of the General Assembly by letter dated 27 August 1998 from the President of the Security Council (A/52/1023).

5. The list of candidates for judges and the procedure for the election of the judges of the International Tribunal are set out below. The curricula vitae of the candidates will be transmitted to the General Assembly in a separate document (A/53/352).

I. List of candidates for judges of the third Trial Chamber of the International Tribunal

6. The list of candidates for judges of the third Trial Chamber of the International Tribunal is as follows:

Mr. Mohamed Bennouna (Morocco)
Mr. David Hunt (Australia)
Mr. Per-Johan Lindholm (Finland)
Mr. Hugo Anibal Llanos Mansilla (Chile)
Mr. Patrick Robinson (Jamaica)
Mr. Jan Skupinski (Poland)
Mr. Luis Valencia-Rodriguez (Ecuador)
Mr. S. W. B. Wadugodapitiya (Sri Lanka)
Mr. Peter H. Wilkitzki (Germany)

II. Procedure for the election of judges

7. The election of judges will take place in accordance with the following provisions:

(a) Article 13 of the Statute of the International Tribunal;

(b) Given the similar nature of the election of judges of the International Court of Justice and the election of judges of the International Tribunal, it was decided at the time of the previous elections of judges in 1993 and 1997 to follow similar election procedures in the General Assembly. The Secretary-General suggests that these precedents be followed and that rule 151 of the rules of procedure of the General Assembly be applied to the election of judges of the third Trial Chamber of the International Tribunal.

8. In accordance with article 13, subparagraph 2 (d), of the Statute of the International Tribunal, the Holy See and Switzerland, being non-member States which maintain permanent observer missions at United Nations Headquarters, will participate in the election in the same manner as the States Members of the United Nations.

9. On the date of the election, the General Assembly will elect three judges from the list of candidates submitted to it by the Security Council.

10. According to paragraph 1 of article 13 of the Statute of the International Tribunal, judges of the Tribunal shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. According to that same provision, due account shall be taken in the overall composition of the Chambers of the International Tribunal of the experience of the judges in criminal law, international law, including international humanitarian law and human rights law.

11. In accordance with subparagraph 2 (d) of article 13 of the Statute of the International Tribunal, the candidates who receive an absolute majority of the votes of States Members of the United Nations and of the non-member States maintaining permanent observer missions at United Nations Headquarters shall be declared elected.

12. The consistent practice of the United Nations has been to interpret the words "absolute majority" as meaning a majority of all electors, whether or not they vote or are allowed to vote. The electors in the General Assembly for current purposes are all 185 Member States, together with the two non-member States mentioned in paragraph 8 above. Accordingly, 94 votes constitute an absolute majority in the Assembly for the purpose of the present election.

13. Only those candidates whose names appear on the ballot papers are eligible for election. The electors will indicate the candidates for whom they wish to vote by placing crosses against their names on the ballot papers. Each elector may vote in the first ballot for no more than three candidates.

14. If, in the first ballot, the number of candidates obtaining an absolute majority is less than three, a second ballot will be held, and balloting will continue in the same meeting, if and as necessary, until three candidates have obtained an absolute majority. In any second or subsequent ballot, each elector may vote for no more than three candidates less the number of candidates who have already obtained absolute majorities.

15. Following the practice in the election of judges of the International Court of Justice, any second and subsequent balloting shall be unrestricted. Votes may accordingly be

cast in any second or subsequent ballot for any eligible candidate who has not yet obtained an absolute majority.

16. If, in the first ballot, more than the required number of candidates obtains an absolute majority of votes, a second ballot will be held on all candidates, and balloting will continue at the same meeting, if and as necessary, until the required number of candidates, and no more, obtains an absolute majority. In any such case, each elector may vote, both in the first ballot and in any subsequent ballot, for three candidates.

17. When three candidates obtain the required majority, the President of the General Assembly shall declare the candidates concerned elected.

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ELECTION OF JUDGES OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

Curricula vitae of candidates nominated by States Members of the United Nations

Note by the Secretary-General

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I. INTRODUCTION

The Secretary-General has the honour to submit to the General Assembly the curricula vitae of the candidates nominated by States Members of the United Nations for the election of judges of the third Trial Chamber of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1 January 1991. The names of the candidates nominated for the election and the voting procedures to be followed in the Assembly are set out in a memorandum by the Secretary-General (A/53/351).

II. CURRICULA VITAE OF CANDIDATES

Mohamed BENNOUNA

(Morocco)

Born on 29 April 1943 at Marrakesh, Morocco

Moroccan national, married, father of three children

Professor of the Faculties of Law.

Member of the United Nations International Law Commission

Studies

Faculty of Law of the University of Nancy, France. Licence. Diplomas. Doctor of International Law, 1972 ("Consent for Military Intervention in Internal Conflicts"). Diploma from The Hague Academy of International Law. Assistant at the Faculty of Law of Nancy, 1967-1972.

Agrégé in Public Law and Political Science, Paris, 1972.

Professional experience

Professor at the Faculty of Law of Rabat and Casablanca beginning in January 1973, and at the National School for Public Administration.

Dean of the Faculty of Law of Rabat, 1975-1979.

Member of the Moroccan delegation to the United Nations Conference on the Law of the Sea, beginning in 1974.

Founder of the Revue juridique, politique et économique du Maroc, 1976.

Member of the Moroccan delegation to the International Court of Justice, deliberating on the Western Sahara question (1975).

Later, legal adviser to the Moroccan delegation at several sessions of the General Assembly of the United Nations.

Associate Professor at the University of Nice, 1980-1983. During that time published a work entitled "Le droit international du développement - Tiers-monde et interpellation du droit international".

From 1983 to 1985 responsible for the creation of the King Abdul Aziz Foundation on Human and Islamic Sciences, Casablanca.

Ambassador at the Moroccan Mission to the United Nations, New York, 1985-1989.

Professor at the Faculty of Law of Rabat, 1989-1991.

Founding member and Vice-President of the Study and Research Group on the Mediterranean.

Director General of the Arab World Institute (Institut du Monde Arabe), since May 1991.

Member of the United Nations International Law Commission, Geneva, since 1986 (elected three times by the General Assembly, most recently in November 1996).

Chairman of a panel of the United Nations Compensation Commission (UNCC), established by the Security Council, 1992-1995.

Member of the International Bioethics Committee (UNESCO).

Member of numerous scientific associations, notably the International Law Institute and the French International Law Society (Société française de droit international).

Visiting Professor at the Universities of Tunis, Algiers, New York, Salonica, Paris.

Awards

National prize for culture, Morocco.

Medal for culture, Yemen.

Knight of the National Order of the Legion of Honour (Chevalier de l'Ordre national de la Légion d'honneur), France.

Publications

Books

Le consentement à l'ingérence militaire dans les conflits internes (Librairie de droit et de jurisprudence, Paris, 1974).

Le droit international relatif aux matières premières (Académie de Droit International, The Hague, 1982).

Le droit international du développement (Berger-Levrault, editor, Paris, 1983).

La spécificité du Maghreb arabe (Casablanca, Fondation du Roi Abdul Aziz, 1990).

Articles

"Le Maghreb entre le mythe et la réalité", Intégration, No. 1, 1974.

"Les fonds marins entre l'héritage commun et la querelle des héritiers", Revue iranienne des relations internationales, No. 5, 1975.

"Le Sahara occidental devant la Cour internationale de Justice", Revue juridique, politique et économique du Maroc, No. 1, 1976.

"Le nouvel ordre économique international et la doctrine juridique", Revue juridique, politique et économique du Maroc, No. 2, 1977.

"Le Maroc et le droit de la mer", Revue juridique, politique et économique du Maroc, No. 6, 1979.

"Les droits d'exploitation des ressources minérales des océans", Revue général de droit international public, No. 1, 1980.

"L'admission d'un nouveau membre à l'Organisation de l'unité africaine", Annuaire français de droit international, 1980.

"La limite extérieure du plateau continental" in: "La gestion des ressources pour l'humanité - Le droit de la mer" (Martinus Nijthoff, The Hague, 1982).

"Réalité et imaginaire en droit international du développement", in: "Le droit des peuples à disposer d'eux-mêmes" (mélanges offerts à Charles Chaumont) (Pédone, Paris, 1984).

"Le caractère pluridimensionnel du droit de la mer", in: Traité du nouveau droit de la mer, publié sous la direction de J. Dupuy et D. Vignes (Economica, Paris, 1985).

"La zone économique exclusive marocaine", in: Le parlement et la pratique législative au Maroc (Toubkal, Casablanca, 1985).

"L'Islam et les relations internationales", in: Renouveau des études sur l'Islam et le monde arabe (King Abdul Aziz Foundation, Casablanca, 1987).

"La délimitation des espaces maritimes en Méditerranée", in: Le droit de la mer (mélanges à la mémoire de J. Carroz) (FAO, Rome, 1987).

"La Convention des Nations Unies relative aux droits de l'enfant", Annuaire français de droit international, 1989.

"La création d'une juridiction pénale internationale et la souveraineté des États", Annuaire français de droit international, 1990.

"Quelle sécurité pour quelle Méditerranée?" in: La Méditerranée en question - conflits et interdépendances (CNRS, Paris, 1991).

"International law and development", in: "International law: achievements and prospects", M. Bedjaoui general editor (Martinus Nijthoff, UNESCO, 1991).

"L'après-guerre froide et les nouveaux enjeux des relations internationales", in: "Les Nations Unies" (Académie du Royaume du Maroc, Casablanca, 1991).

"La dimension géopolitique du Maroc méditerranéen", in: Le Maroc méditerranéen (Le Fennec, Casablanca, 1992).

"L'obligation juridique dans le monde de l'après-guerre froide", Annuaire français de droit international, 1993.

"Le règlement des différends peut-il limiter le droit de se faire justice à soi-même?", Journal européen de droit international, vol. 5, No. 1, 1994.

"Islam et droits de l'homme - le cas des pays arabes", contribution to the Princeton Symposium: "Universalizing from Particulars: Islam and Human Rights", May 1995.

"Droit international et diversité culturelle", in: International Law on the Eve of the Twenty-first Century" (United Nations, New York, 1997).

David Anthony HUNT

(Australia)

Date and place of birth: 15 February 1935, Sydney, Australia.

Education: University of Queensland, Australia: Bachelor of Arts, 1956; Bachelor of Laws, 1958.

Professional career

1958: Admitted as a Barrister.

1975: Appointed as a Queen's Counsel.

1976: Appointed as Senior Counsel assisting the Hon. Mr. Justice Nagle in his Royal Commission into New South Wales Prisons.

1979: Appointed as a Judge of the Supreme Court of New South Wales. This is the highest court in New South Wales, regularly presiding in complex and high profile criminal trials. These have included the trial of a Justice of the High Court of Australia for attempting to pervert the course of justice (1986), the trial for the importation of a then record amount of heroin (1989) and the high-profile trial of a murderer of multiple victims (1996).

1991: Appointed as Chief Judge at Common Law in the Supreme Court of New South Wales. As such, Justice Hunt sat almost full-time in the Court of Criminal Appeal, usually as the senior judge, and was responsible for the administration of the civil (common law) work and the criminal work of the Supreme Court. The Court of Criminal Appeal deals with more than 50 per cent of all the appellate criminal work throughout Australia.

1998: Retired from the Supreme Court, aged 63.

Law reform; judicial policy work

Since 1992, Justice Hunt has been a part-time Commissioner with the New South Wales Law Reform Commission, taking part in the preparation of discussion papers and reports dealing with criminal law issues, including proposals to reform the partial defences to murder (resulting in a reduction of the crime to manslaughter, such as provocation and diminished responsibility) and the right to silence.

Since retiring from the Supreme Court in March 1998, Justice Hunt has been employed as a consultant by the Judicial Commission of New South Wales, on a project for revision of the legal directions to be given to juries in criminal trials.

Publications and conference papers

Criminal law - the Court of Criminal Appeal (1997) The Judicial Review, vol. 3, p. 115.

Further on the Evidence Act 1995. Currently under review for publication in The Judicial Review.

Many of Justice Hunt's judgements in criminal law have been published in Australian Criminal Reports (LBC Information Services publication).

Justice Hunt has regularly delivered papers dealing with criminal law issues to conferences of the judges of, variously, the Supreme Court, the District Court and the Local Court of New South Wales.

Language: English

Marital status: Married (1959); three sons.

Per-Johan Viktor LINDHOLM

(Finland)

Justice, member of the Supreme Court, Helsinki

Born 7 July 1938.

Married, one child.

Knowledge of languages: Swedish, Finnish and English.

Education

Master of Laws, University of Helsinki, Finland, 1961.

Licentiate in Laws, University of Helsinki, Finland, 1965.

Research grants to the University of Uppsala, Sweden, 1965-1966, and to the University of Chicago Law School, United States of America, 1966-1967.

Official posts and activities

Editor of the statute-book of Finland, Finlands lag, 1961-1963.

University of Helsinki, Faculty of Law: Assistant, 1963-1967, and acting Assistant Professor, 1967-1970.

Ministry of Justice: Counsellor of Legislation (responsible for drafting criminal and procedural legislation), 1970-1972, and Director of Legislative Affairs, 1972-1979.

City Court judge in Helsinki, 1973-1976 (on leave of absence), and Court of Appeal judge in Turku, 1976-1979 (on leave of absence).

Numerous national and international activities within the field of criminal and procedural law, e.g.:

- Member of the Board of the Association of Finnish Criminal Lawyers (Kriminalistföreningen), 1969-1984.
- Member of the Finnish delegation to the Diplomatic Conference on the Suppression of Unlawful Seizure of Aircraft, 1970.
- Member of the Finnish delegation to the Diplomatic Conference on the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1971.
- Chairman of the Board of the Probation Association (Kriminalvårdsföreningen), Finland, 1973-1975, Vice-Chairman 1972.

- Member of the Finnish delegation to the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, 1975.

- Member of the International Penal and Penitentiary Foundation (IPPF), 1975-.

- Expert in the Nordic Committee on Penal Law, 1988-.

- Member of the Bureau of the Steering Committee on Crime Problems (CDPC), Council of Europe, 1990-1994.

- Lawyers for Human Rights, Member of the Board, 1993-1998.

- Chairman of the Association of Finnish Lawyers (Juridiska Foreningen i Finland), 1996-, Member of the Board, 1974-1995.

Present post

Justice, member of the Supreme Court since 1979.

Positions of trust

Chairman and member of numerous law drafting committees and associations for legal matters.

Publications

Articles in various periodicals on legal matters mostly within the field of criminal and procedural law. Editor of the statute-book of Finland, Finlands lag, 1961-1974.

Húgo Aníbal LLANOS MANSILLA

(Chile)

Date of birth: 24 November 1933.

Civil status: Married, with four children.

Domicile: El Galeón 6859, Las Condes.

Name of spouse: María Antonia Mardones Andrade.

Nationality of spouse: Chilean.

Spouse's profession: Lawyer.

Languages

English and French

Studies

Law degree, 1956, University of Chile.

Master's in International Law, 1963, Harvard University, United States of America.

International posts

1978-1990	Under-Secretary-General for Legal Affairs of the Permanent Commission for the South Pacific.
1990-1994	Secretary-General of the Permanent Commission for the South Pacific.
1990-1993	Executive Director of the Transpacific Fisheries Advisory Committee, elected in Papua New Guinea

Teaching posts in Chile

1963-1967	Research lecturer in the Faculty of Law of the Catholic University of Chile.
1967-	Full Professor of Public International Law in the Faculty of Law of the Catholic University of Chile.
1972-1977	Full Professor of Public International Law in the Faculty of Law of the University of Chile.
1976	Professor of the Inter-American System of the Advanced Diplomatic Studies Course at the Andrés Bello Diplomatic Academy.

1976-1977 Professor of International Organizations at the Diplomatic Academy of Chile.

1983 Lecturer on the Master's Law Programme specializing in international law in the Faculty of Law of the University of Chile.

1991- Extension Director in the Faculty of Law of the Catholic University of Chile.

1993-1995 Director of Research in the Faculty of Law of the Catholic University of Chile.

Teaching posts abroad

1974 Professor of Human Rights in the Faculties of Law of the National University of Buenos Aires and Lomas de Zamora University, Buenos Aires.

1974 Lecturer on the first international law course of the Inter-American Juridical Committee, Rio de Janeiro.

1981 Classes in international law, Diplomatic Academy of the Peruvian Ministry of Foreign Affairs (November 1981), Lima.

1982-1985 Lecturer in Public International Law on the doctoral course of the School of International Studies at the Central University, Quito.

1997 Lecturer in the John Paul II Chilean-Argentine Binational Department of Public International Law, Córdoba, Argentina.

Administrative teaching posts

1970-1971 Coordinator of the Department of International and Comparative Law in the Faculty of Law of the Catholic University of Chile.

1971-1973 Academic Secretary of the Faculty of Law of the Catholic University of Chile.

1973-1977 Vice-Dean of the Faculty of Law of the Catholic University of Chile.

1972-1975 Representative of the Faculty of Law of the University of Chile to the Institute of Juridical Teaching and Research.

1974-1976 Representative of the Faculties of Law of the Chilean Universities at the Editorial Jurídica publishing house, Chile.

1994- Vice-Chairman of the Chilean International Law Society.

1993- Member of the Council of the Faculty of Law of the Catholic University of Chile.

1995- Member of the Editorial Committee of the Revista Universitaría of the Catholic University of Chile.

Current posts

1993- Extension Director in the Faculty of Law of the Catholic University of Chile.

1997- Director of the Department of International Law of the Faculty of Law of the Catholic University of Chile.

Publications

Books

Teoría Y Práctica del Derecho Internacional Público. 3 volumes. vol. I, Fuentes del Derecho Internacional, 1997; vol. II, El Estado como sujeto de Derecho Internacional, 1980; vol. III, La persona humana como sujeto de Derecho Internacional, 1983. Editorial Jurídica de Chile. 1,714 pp. 2nd edition. Part I, 1990.

Textos Básicos del Derecho Internacional Público. 2 volumes. Instituto de Estudios Internacionales, 1976. 231 pp.

La Inmunidad de Jurisdicción y de Ejecución de los Estados que Realizan Activadades Comerciales, con Especial Referencia a Chile. Instituto de Estudios Internacionales, 1975, 63 pp.

Participation in collective works

Panorama Histórico de las Relaciones Internacionales entre los Estados Unidos y América Latina. In: Antecedentes, Balance y Perspectivas del Sistema Interamericano, Santiago, Chile, Edición Universitaria, 1978, pp. 56-86.

Articles

Los tratados en Chile, Revista Chilena del Derecho, February-Decenber 1977, pp. 183-195.

El estado de beligerancia ante el derecho internacional, Revista de Legislación y Documentación en Derecho y Ciencias Sociales, No. 6 (1979) (Santiago, Chile).

The national institutional infrastructure and its interaction with the international organizations. In: The Working Papers of Pacem in Maribus XI. Mexico, 26-29 October, pp. 1-7 (International Ocean Institute, Valletta, Malta).

Las organizaciones internacionales como sujetos de derecho internacional. Anuario Hispano-Luso-Americano de Derecho Internacional, No. 8 (1987), pp. 97-129 (Madrid).

Los 50 años de las Naciones Unidas. Revista Universitaria de la Pontificia Universidad Católica de Chile, No. 49 (1995), pp. 43-46.

La costumbre ante la Corte Internacional de Justicia. Anuario Argentino de Derecho Internacional. Special edition. Libro Homenaje a la Asociación Argentina de Derecho Internacional (Córdoba, 1996), pp. 33-54.

El Derecho Internacional y los Derechos Humanos de la Mujer. In: Estudios 1995. Sociedad Chilena de Derecho Internacional (Santiago, 1996), pp. 73-102.

Cumplimiento en Chile de las decisiones del Consejo de Seguridad de las Naciones Unidas. Revista Chilena de Derecho. Monograph edition: Aplicación del Derecho Internacional en Chile. Facultad de Derecho, Pontificia Universidad Católica de Chile. vol. 23, Nos. 2 and 3 (May-August 1996), pp. 309-340.

Aplicación del Derecho Internacional in Chile. Jurisprudencia. Revista Chilena de Derecho. Monograph edition, vols. 2 and 3, part II (September-December 1996), pp. 427-636.

El derecho internacional y los derechos humanos de la mujer. In: Hector Gros Espiell: Amicorum Liber. Persona Humana y Derecho Internacional, vol. I. Bruylant, Brussels, 1997, pp. 683-710.

El Acuerdo de Complementación Económica Chile-MERCOSUR: naturaleza jurídica y su incorporación al derecho chileno interno. Ius et Praxis (Universidad de Talca), year 3, No. 2 (1997), pp. 11-47.

Las guerras y el derecho internacional. Revista Universitaria No. 59 (1998), pp. 9-11.

El derecho de la integración en el ordenamiento jurídico interno. In: Mercosul no cenário internacional. Direito e Socedade. VII° Encontro Internacional de Direito da América do Sul, vol. I. Luiz Otávio Pimentel (organizer). Curitiba, Jaruá Editora, 1998, pp. 225-230.

Membership in academic institutions

Full member of the Instituto Hispano-Luso-Americano de Derecho Internacional

Member of the International Law Association

Member of the Asociación Argentina de Derecho Internacional

Vice-Chairman of the Sociedad Chilena de Derecho Internacional

Member of the Harvard Alumni Association

Member of the Sociedad Peruana de Derecho Internacional

Academic honours and distinctions

Invited to the Fourth Regional Course on Integration in Latin America, Buenos Aires, 1968. Instituto para la Integración de América Latina.

Guest lecturer in international law for the course entitled "Legal Teaching Education and Legal Research", Palo Alto, California and Washington, D.C., United States of America, 1969-1970. University of Stanford, California.

Andrés Bello prize from the Council of Rectors of the University of Chile, for the best work on international law, November 1981.

Guest lecturer in international law for a seminar on Community law, October-December 1983. European Economic Community, Brussels.

Guest speaker on the human person as subject of international law at the XIV Congress of the Instituto Hispano-Luso-Americano del Derecho Internacional. San José, Costa Rica, 1-18 March 1985.

Guest commentator at the international symposium on Peru's foreign relations sponsored by the Centro Peruano de Estudios Internacionales, 11-15 November 1985.

Elected Chairman of the XVIII Congreso Hispano-Luso-Americano del Derecho Internacional, Santiago, September 1994.

Guest exhibitor at the VII Encontro Internacional de Direito da América do Sul, Florianópolis, Brazil, 5-9 May 1998.

Decorations

Received rank of Gran Oficial de la Orden from the Government of Peru for distinguished service, September 1981.

Patrick Lipton ROBINSON

(Jamaica)

Date of birth	29 January 1944.
Present post	Deputy Solicitor-General, Attorney General's Department, Jamaica.

Education

1972	LL.M., International Law, Law of Treaties, Law of Armed Conflict, Air and Space Law (Kings College, University of London).
1970	Certificate, Hague Academy of International Law, Research on law of treaties; Certificate, Teaching Session, Hague Academy.
1968	Barrister at Law, Middle Temple, United Kingdom.
1964	B.A., London/University College of the West Indies: General Degree in English, Latin, Economics.

Awards

1971	Awarded United Kingdom Commonwealth Scholarship to read for LL.M. in International Law.
1970	Awarded United Nations Fellowship in International Law to the Academy of International Law, The Hague.

Positions held

1986-present	Deputy Solicitor-General, Attorney General's Department, Jamaica.
1982-present	Accredited delegate to the annual session of the General Assembly of the United Nations.
1982	Accredited delegate to the Third United Nations Conference on the Law of the Sea.
1980	Member of Jamaica's National Group established under the Statute of the International Court of Justice to nominate persons for election to the Court.
1977-1986	Senior Assistant Attorney General and Director of Division of International Law in Attorney General's Department, Jamaica.
1975-1977	Assistant Attorney General.
1973-1975	Crown Counsel, Attorney General's Department.

1972-1973	Legal Adviser in the Ministry of Foreign Affairs, Jamaica.
1968-1971	Crown Counsel, Director of Public Prosecutions, Jamaica.
1964-1966	Graduate Teacher of English and Sportsmaster at Kingston College, Jamaica.

Membership of, and posts held in international bodies

1997	Chairman, UNCTAD Expert Meeting on Existing Agreements on Investment and their Development Dimensions.
1996	Vice-President of the OAS Specialized Conference on the Inter-American Convention against Corruption.
1996-1998	Member of the International Bioethics Committee of UNESCO.
1995	Appointed as a foreign member of the Truth and Justice Commission of Haiti, following consultations between the Government of Haiti, the United Nations and OAS to establish the truth of the most serious human rights violations committed under the de facto military regime between 1991 and 1994.
1991-1996	Member of the International Law Commission (ILC); Member of the ILC Working Group responsible for the drafting of the Statute for an International Criminal Court; and the Working Group on international liability for injurious consequences arising out of acts not prohibited by international law; ILC Drafting Committee on the Draft Code of Crimes against the Peace and Security of Mankind.
1987-1995	Member of the Inter-American Commission on Human Rights.
1991-1995	Rapporteur for the Inter-American Commission on Human Rights for the drafting of a legal instrument on the rights of indigenous people; produced legal instrument in 1995 for the consideration of OAS members and indigenous peoples.
1992-1995	Rapporteur for the Inter-American Commission on Human Rights in respect of Haiti, the United States of America, Canada, Grenada and Trinidad and Tobago.
1991	Chairman, Inter-American Commission on Human Rights.
1990-1991	First Vice-Chairman, Inter-American Commission on Human Rights.
1986	Chairman of the twelfth Session of the United Nations Commission on Transnational Corporations.

1981 Chairman of the Credentials Committee at OAS Conference which adopted the Caracas Convention on Extradition.

Professional experience

1972-present Principal Adviser to the Ministry of Foreign Affairs and Foreign Trade and other ministries on matters relating to international law; and Jamaica's representative in Treaty negotiations at the United Nations, multilateral, regional and subregional levels.

Counsel for the Attorney General in constitutional, industrial relations and other cases in the Supreme Court, Court of Appeal and Privy Council. Prosecuted first extradition case in Jamaica and has represented the Attorney General in practically all extradition cases brought before the full court of the Supreme Court at the level of habeas corpus proceedings since 1962.

Responsible for:

- The formulation of Jamaica's policy regarding the negotiation of treaties relating to: bilateral investment; maritime delimitation; fishing; intellectual property (copyright, trademarks, patent); the environment, particularly maritime pollution; technical assistance and cooperation; privileges and immunities; and other matters relating to international law;
- Advising on Jamaica's ratification of such treaties;
- The negotiation of such treaties.

Legal Adviser to the Government of Jamaica on matters relating to the Caribbean Common Market (CARICOM).

1991, 1995 Appeared for the Inter-American Commission on Human Rights in cases before the Inter-American Court of Human Rights.

1996 External Examiner for the course, "Selected Issues in International Law", for the M.Sc. degree in Government, University of the West Indies.

Chairmanship of treaty negotiating delegations

1992-present Chairman of the Jamaican delegation negotiating Treaty for Mutual Assistance in Criminal Matters with Canada.

1991-present Chairman of the Jamaican delegation which negotiated maritime delimitation treaties with Colombia and Cuba and which is negotiating a similar treaty with the United Kingdom (in respect of Cayman Islands) and Nicaragua.

1992-1994	Chairman of the Jamaican delegation which negotiated a Treaty for Mutual Assistance in Criminal Matters with the United States.
1989-present	Chairman of the Jamaican delegation which negotiated bilateral investment treaties with the United Kingdom, the Netherlands, Switzerland, Italy, France, Germany, the United States, Argentina, China and which is currently negotiating a similar treaty with Canada.
1982-1983	Chairman of the Jamaican delegation which negotiated the 1983 Extradition Treaty with the United States.

Diplomatic experience and conferences

Represented Jamaica

1998	In bilateral negotiations with the United States on certain issues related to the illicit manufacture of and trafficking in firearms.
1997	At CICAD (OAS) Meeting of Experts on Model Regulations for Firearms.
1997	At CARICOM/United States Committee on Justice and Security.
1997	At second session of UNCTAD Commission on Investment, Technology and Other Related Financial Issues.
1997	In OAS negotiations for an Inter-American Convention against the Illicit Manufacturing of, and Trafficking in, Firearms, Ammunition, Explosives, Other Related Materials and Other Appropriate Measures.
1997	UNCTAD Expert Meeting on Existing Agreements on Investments and their Development Dimensions.
1997	At the special meeting of the Committee on Juridical and Political Affairs of OAS on the evaluation and improvement of the Inter-American Human Rights System.
	At the Caribbean/United States Summit and at the preparatory meetings leading to the Summit.
	In negotiations with the United States for an Agreement concerning Cooperation in Suppressing Illicit Maritime Drug Trafficking.
1996	At the specialized conference in Caracas to adopt the Inter-American Convention against Corruption.

1972-present	On the Sixth (Legal) Committee of the General Assembly of the United Nations.
1972-present	In negotiations for the establishment of the Caribbean Community and CARICOM, and in meetings relating to the work of those bodies.
1994	In negotiations for the establishment of the Association of Eastern Caribbean States.
1991-1993	On the OAS Working Group responsible for the drafting of the OAS Inter-American Convention on Legal Assistance in Criminal Matters.
1986	At meeting of Commonwealth Law Ministers in Zimbabwe.
1986	On the Working Group of the United Nations Commission on International Trade Law (UNCITRAL) on the new international economic order.
1985	At the Regional Latin American Meeting on the Code of Conduct for Transnational Corporations, Buenos Aires.
1983-1986	At the special session of the Commission on Transnational Corporations for the drafting of a Code of Conduct for Transnational Corporations.
1983	At annual session of UNCITRAL. On United Nations Working Group drafting an International Convention on the rights of migrant workers.
1983	At Meetings of Commonwealth Law Ministers in Sri Lanka.
1982	At CARICOM Meeting to prepare Guidelines for CARICOM States in the elaboration of bilateral investment protection treaties.
1981	At OAS Conference which adopted the Caracas Convention on Extradition.
1977	In negotiations for the International Declaration against Apartheid in Sports.
1979	At Conference of American Association of Jurists, Kingston.
1978 and 1980	At the United Nations, before the Committee established under the International Convention on the Elimination of Racial Discrimination and the International Covenant on Economic, Social and Cultural Rights.
1975	At Conference in Panama establishing the Latin American Economic System (SELA).

1974-1982 At all sessions of the Third United Nations Conference on the Law of the Sea. Jamaica's representative on the Second Committee (Limits of National Jurisdiction).

1974 At Group of 77 on the Law of the Sea, Nairobi.

1973 Meeting of the United Nations Seabed Committee, Geneva.

Participated in a personal capacity

1997 United Nations Ad Hoc Group Meeting on Economic Measures as a Means of Political and Economic Coercion against Developing Countries.

1995-1996 In an UNEP Expert Group Workshop on International Environmental Law aiming at Sustainable Development.

1993 In a UNEP/IADB-sponsored workshop in Mexico City on environmental conventions and legislation in Latin America.

1992 In a symposium on an International Criminal Court or Jurisdiction sponsored by the International Institute of Higher Studies in Criminal Sciences.

1991 On behalf of the Inter-American Commission on Human Rights in a Workshop in Mexico City on the rights of indigenous peoples.

1989 As member of the Advisory Committee of the Caribbean Law Institute Treaties Project for the Organization of Eastern Caribbean States (OECS).

1987 As member, UNEP Working Group of Legal Experts on Environmental Law - environmental impact assessment.

1986 At the Montreaux Round Table Conference on the United Nations Code of Conduct for Transnational Corporations.

1959 Represented Jamaica at the annual New York Mirror World Youth Forum.

Consultancies

1997 Consultant Expert for the Inter-American Commission on Human Rights to advise on and review the legal instrument on the rights of indigenous persons.

1997 Consultant Expert for UNCTAD to advise on and review paper on bilateral investment treaties in the mid-1990s.

1990	Consultant Expert for the United Nations Centre for Transnational Corporations; prepared paper on guidelines for the Organization of Eastern Caribbean States in negotiating bilateral investment treaties.
1988	Consultant Legal Adviser for the Commonwealth Fund for Technical Cooperation (CFTC) to the Government of St. Kitts and Nevis in the delimitation of its maritime boundary with Antigua and Barbuda.
1987	Commonwealth Secretariat (CFTC): Consultant/Legal Adviser to the Government of the Solomon Islands in the delimitation of its maritime boundary with Vanuatu.
1985-1988	Legal Consultant to the Jamaica National Export Corporation.
1985	Consultant Expert for the United Nations Centre for Transnational Corporations. Prepared paper on the position of developing countries on the question of a reference to international law in the formulation of the Code of Conduct for Transnational Corporations.

Lectures and seminars

1997	Paper for panel discussion on criteria to test the development friendliness of investment agreements, presented at the second session of the UNCTAD Commission on Investment, Technology and Other Related Financial Issues.
1994	Paper for Jamaica Bar Association Seminar: New features of the 1991 Extradition Act [of Jamaica] and other extradition issues.
1993	To the Graduate School of International Studies in Geneva. The Law of the Sea. Some issues relating to the Caribbean.
1991	Presentation on the work of the Inter-American Commission on Human Rights to: • University of St. Thomas, Miami; • African Commission on Human Rights, Gambia.
1990	Seminar Leader on treaties, sponsored by the Caribbean Law Institute. Presented paper on treaty negotiation, drafting and entry into force.
1988	Seminar leader on bilateral investment protection treaties for the Caribbean, sponsored by the United Nations Centre for Transnational Corporations, Trinidad and Tobago.

1985 Seminar leader on the reporting functions under human rights conventions at UNITAR-sponsored seminar for Caribbean diplomatic and legal officers, Barbados.

1984 Seminar leader on the law of the sea at the Commonwealth Secretariat-sponsored seminar for fisheries officers in the Caribbean, Jamaica.

1983 Seminar leader at the Commonwealth Secretariat-sponsored seminar for young diplomatic officers in the Caribbean, Trinidad and Tobago.

1982 Presentation at seminar sponsored by the Geological Society and the Jamaica Society of Scientists and Technologies on main issues in the law of the sea.

Research and publications

1998 Paper on "The definition of investment in regional and multilateral investment treaties and their implications for development", presented at UNCTAD Meeting of Experts on Regional and Multilateral Investment Treaties and their Implications for Development.

1997 Paper on "Protection of human rights in the democratic reality in the hemisphere: Problems and challenges" for a Symposium (under the auspices of the Inter-American Commission on Human Rights) on the Structure of the Inter-American System for the Promotion and Protection of Human Rights: Evaluation and Challenges.

1993 Article entitled "Treaty negotiation, drafting, ratification and accession by CARICOM States", West Indian law journal, vol. 18, No. 2.

1992 Article entitled "The Inter-American human rights system", West Indian law journal, vol. 17, May 1992.

1990 Paper on the negotiation and drafting of treaties from the perspective of developing countries, done under the auspices of the Caribbean Law Institute.

Guidelines for the Organization of Caribbean States in the negotiation of bilateral investment treaties, done on behalf of the United Nations Centre for Transnational Corporations.

1989 Article entitled "The Agreement establishing the Multilateral Investment Guarantee - some legal issues", West Indian law journal, vol. 11, October 1987.

Contributed to article on "The law of the sea in Caribbean perspectives in international law and organization" (1989), edited by B. G. Ramcharan and L. B. Francis.

1986 — Paper entitled "International cooperation for the control of drug abuse in the Americas legal regime", presented at Symposium on Legal Reform sponsored by the Pan American Health Organization and the Jamaica National Council on Drug Abuse, Drug Abuse and Prevention and Control Project, Kingston, May 1986.

1985 — Paper prepared for the United Nations Centre on Transnational Corporations entitled "The question of a reference to international law in the United Nations Draft Code of Conduct for Transnational Corporations", published by the Centre in July 1986 as the first in a series (UNCTC Current Studies A. No. 1) designed to contribute to a better understanding of transnational corporations, their activities and their economic, legal, political and social impact; later presented to the eighth Commonwealth Law Conference and published in West Indian law journal, vol. 10, October 1986 under the title "The fear of, and insistence on, a reference to international law in the United Nations Code of Conduct on Transnational Corporations".

Article entitled "The June 1985 reconvened special session on the Code of Conduct for Transnational Corporations:, published in the CTC Reporter No. 20, autumn 1985.

1984 — Article entitled "The Commonwealth scheme for the rendition of fugitive offenders: A critical appraisal of some essential elements", International and comparative law quarterly, vol. 33, Part 3 (July 1984); presented in a modified form at the eighth Commonwealth Law Conference, 1986.

1983 — Paper on "Common ownership and development of extraterritorial (maritime) resources of the region", read at the eighth Conference of the American Association of Jurists, West Indian law journal, vol. 10, May 1986.

1982 — Paper on "Main issues before the Law of the Sea Conference", Journal of the Geological Society of Jamaica (December 1982).

1980 — Unpublished paper entitled "The group of landlocked and geographically disadvantaged States at the Third United Nations Conference of the Law of the Sea", presented at the Caribbean Common Market Meeting of Officials on the Law of the Sea.

1978 — Article entitled "Jamaican case law and need for reform", West Indian law journal, May 1978.

1973 Co-author with Ken Rattray and Allan Kirton of a paper entitled "The effects of the existing law of the sea on the development of the Caribbean region and the Gulf of Mexico", presented at Pacem in Maribus Conference in Kingston and published in Pacem in Maribus IV - 1973 Caribbean Study Project Working Papers.

1970 Research paper on article 62 of the 1969 Vienna Convention on the Law of Treaties: "Clausula rebus sic stantibus: Fundamental Change of Circumstances", done at the Hague Academy of International Law on a United Nations fellowship.

1970 Unpublished paper entitled "No case to answer in a criminal case: incidence and degree of proof".

Membership of professional organizations

Member of the British Institute of International and Comparative Law.

Member of the American Society of International Law.

Decoration

1986 Commander of the Order of Distinction, awarded by the Government of Jamaica for service in the field of international law.

Luis VALENCIA RODRIGUEZ

Born

Quito, 5 March 1926.

Married to Cleopatra Moreno. Five children.

Academic studies and qualifications

Higher studies at the Faculty of Law of the Central University of Ecuador, Quito.

Degree in Public and Social Sciences, Central University of Ecuador, Quito.

Qualified barrister in the Ecuadorian courts and Doctor of Jurisprudence at the Central University, Quito, April 1951.

Fifth Special Course for Government Legal Advisers, London, 1968-1969.

Languages

English, French, Portuguese and Russian.

Principal assignments in the Foreign Service of Ecuador

In the Ministry of Foreign Affairs (Quito)

Entered the Foreign Service, having passed the competitive examination, on 4 September 1944. Held a number of administrative posts in the Ministry, 1944-1949.

Third Secretary, 1949-1951.

Second Secretary, 1951-1952.

Head of the Political Section, 1951.

First Secretary, Civil Adviser to the Commission on the Demarcation of the Border with Peru, 1952-1953.

Counsellor, 1952-1953.

Director of the Border Department, 1952.

Director of the OAS (Organization of American States) Section, 1955.

Head of Technical and Legal Advisory Services, 1957.

Under-Secretary for Diplomatic and Political Affairs, 9-16 March 1964.

Technical and Legal Adviser in the Ministry of Foreign Affairs - four terms: 1964-1965, 1966-1969, 1980-1981 and 1992-1994.

Head of the Office of the Under-Secretary-General for Foreign Affairs, July 1965.

Promoted to Ambassador in 1965.

Under-Secretary-General for Foreign Affairs, August-December 1965.

Acting Minister for Foreign Affairs - on various occasions between July and December 1965.

Minister for Foreign Affairs, 14 December 1965-31 March 1966; 4 November 1981-9 August 1984.

Adviser on National Sovereignty, Ministry of Foreign Affairs, 1981.

Special Adviser and Director of the Analysis Unit of the Ministry of Foreign Affairs, 1991-1992.

Abroad

Counsellor to the Embassy of Ecuador in Buenos Aires, 1957-1959.

Counsellor and later promoted to Minister in the Permanent Mission of Ecuador to the United Nations, 1959-1964.

Ambassador of Ecuador to Bolivia, 1969-1971; Brazil, 1971-1974; Peru, 1974-1978; Venezuela, 1978-1979; Argentina, 1989-1991; Permanent Representative of Ecuador to the United Nations, July 1994 to present.

Main official assignments

Secretary of the Advisory Board on Foreign Affairs, 1953.

Ecuadorian delegate to the Permanent Commission for the South Pacific, 1956.

Adviser to the delegation of Ecuador to the United Nations Security Council, 1960-1961.

Representative on the Executive Board of the United Nations Children's Fund (UNICEF), 1960.

Alternate Representative to the fourteenth (1959), fifteenth (1960), sixteenth (1961) and seventeenth (1962) sessions of the United Nations General Assembly.

Head of delegation to the eighteenth (1963) and twenty-first (1966) sessions of the United Nations General Assembly.

Head of the Ecuadorian delegation, eighth session of the Permanent Commission for the South Pacific, Viña del Mar, 1964.

Representative to the fifth session of the Inter-American Council of Jurists, San Salvador, 1965.

Member of the Recruitment Committee of the Foreign Service of Ecuador, 1965.

Delegate to the fourth Special Conference on the Exploitation and Conservation of the Maritime Resources of the South Pacific.

Member of the Legal and Political Commission of the Ministry of Foreign Affairs, 1966.

Delegate to the Consultative Meeting of Ministers for Foreign Affairs of the American Republics, Buenos Aires and Washington, 1967.

Member of the Presidential delegation to the Meeting of American Presidents, Punte del Este, 1967.

Representative on the Board of Directors of the International Centre for Higher Learning for Latin America (CIESPAL), 1968.

Member of the Ecuadorian delegation to the second session of the United Nations Conference on the Law of Treaties, Vienna, 1969.

Head of the Ecuadorian delegation to the Specialized Conference on the Application of Science and Technology to Latin American Development, Brasilia.

Member of the Ecuadorian delegation to the ceremonies commemorating the 150th anniversary of the Battles of Junín and Ayacucho and the convening of a general American congress in Panamá by Simón Bolívar, Lima, 1974.

Head of the Ecuadorian delegation to the Third United Nations Conference on the Law of the Sea - second to tenth sessions, 1974 to 1981.

Member of the Drafting Committee and other bodies of the Third United Nations Conference on the Law of the Sea, 1981.

Head of the Ecuadorian delegation to the thirtieth session of the United Nations General Assembly, 1975.

Delegate of Ecuador to the Meeting of Legal Experts of the Organization of Petroleum Exporting Countries (OPEC), Vienna, 1979.

Head of the Ecuadorian delegation to the eleventh to thirteenth regular sessions of the General Assembly of the Organization of American States (OAS), 1981, 1982 and 1983.

Head of the Ecuadorian delegation to the thirty-seventh regular session of the United Nations General Assembly, 1982.

Head of the Ecuadorian delegation to the coordination meeting of Latin American Ministers in preparation for the sixth session of the United Nations Conference on Trade and Development (UNCTAD), Cartegena, 1983.

Chairman of the First Committee, forty-ninth session of the United Nations General Assembly, 1994.

Member of the Ecuadorian delegation engaged in negotiations with Peru concerning remaining impasses in the territorial dispute between Ecuador and Peru, 1996.

Other posts and assignments

Editor of the Quito newspaper El Día, 1949-1952. Secretary-General of the newspaper's joint works council, 1951-1952.

Editor of radio programmes providing information on international issues, Ecuadorian Cultural Centre, 1952-1953.

Staff member of the Editorial and Translation Division of the International Labour Office, Geneva, 1953-1955.

Teacher of Ecuadorian history, La Salle High School, Quito, 1953-1957.

Professor in the School of International Sciences, Central University of Ecuador, Quito, 1964-1969; 1984-1986; 1992-1994.

Rapporteur of the First Committee of the World Conference on Peace through Law, Belgrade, 1971.

Professor of Public International Law, Faculty of Law, Central University of Ecuador, Quito, 1992-1994.

Member, in a personal capacity, of the Committee on the Elimination of Racial Discrimination, United Nations, 1970-1986; 1992-2000. Three terms as Chairman of the Committee: 1972-1974; 1984-1986; and 1992-1994.

OAS representative assigned to observe the elections in Grenada, December 1984.

President of the Association of Officials and Employees of the Ecuadorian Foreign Service, 1980.

Legal adviser to the Quito office of the Andean Development Corporation, 1985-1986.

Legal adviser to the Andean Development Corporation, Caracas, 1986-1988.

Independent expert of the Commission on Human Rights in connection with the preparation of a report on individual and collective property, 1991.

Publications

Cooperación internacional en procedimientos judiciales (International cooperation in judicial proceedings) (1968).

Fundamentos y propósitos de las Naciones Unidas (Bases and purposes of the United Nations) (1970).

Principios de las Naciones Unidas (Principles of the United Nations) (1972).

Protección de los derechos humanos (Protection of human rights) (1972), sole prize-winner in an international competition organized by the World Peace through Law Centre.

Los derechos humanos de los trabajadores migrantes (The human rights of migrant workers) (1975).

El Ecuador y las doscientas millas (Ecuador and the 200-mile zone) (1977).

Cumplimiento del artículo 6 de la Convención Internacional sobre la Eliminación de Todas las Formas de Discriminación Racial (Compliance with article 6 of the International Convention on the Elimination of All Forms of Racial Discrimination) (1977).

Análisis de la posición jurídica ecuatoriana en las doscientas millas (Analysis of the Ecuadorian legal position on the 200-mile zone) (1980).

Primera parte del décimo período de sesiones de la Tercera Conferencia de las Naciones Unidas sobre el Derecho del Mar (First part of the tenth session of the Third United Nations Conference on the Law of the Sea) (1981).

Recursos del Mar (Marine resources) (1981).

Visión del Ecuador (A vision of Ecuador) (1982).

Entre la luz y el crepúsculo (Between daylight and twilight) (Short stories, 1986).

Conflicto territorial ecuatoriano-peruano (Ecuadorian-Peruvian territorial dispute) (1988).

Arreglo de controversias según el derecho del mar (Settlement of disputes according to the law of the sea) (1989).

El Desván de los recuerdos (The attic of memories) (Short stories, 1994).

Various legal and literary studies. Has given lectures and participated in seminars and round tables on international issues.

Decorations and honours

Awarded the "Bien de la Patria" decoration by decision of the National Constituent Assembly of Ecuador in November 1966.

Grand Cross of the "Al Mérito" National Order of Ecuador.

Grand Cross and Special Gold Plaque of the National Order of San Lorenzo of Ecuador.

Grand Cross of the "Al Mérito" National Order of Italy.

Grand Cross of the "Cóndor de los Andes" Order of Bolivia.

Grand Cross of the "Cruzeiro do Sul" Order of Brazil.

Grand Cross of the "Rubén Darío" Order of Nicaragua.

"Francisco de Miranda Primera Clase" decoration of Venezuela.

Grand Cross of the "Boyacá" Order of Colombia.

Grand Cross of the "Libertador San Martín" Order of Argentina.

Grand Cross of the "Rio Branco" Order of Brazil.

Grand Sash of the "Libertador" Order of Venezuela.

Grand Cross of the "Orden del Sol" of Peru.

Grand Cross of the Gwanghwa Order of Merit for Diplomatic Service of Korea.

Grand Cross of the "José Matías Delgado" Order of El Salvador.

Grand Cross of the Order of Duarte, Sánchez and Mella of the Dominican Republic.

Grand Cross of the "Ponche Verde" Order of Rio Grande do Sul, Brazil.

Grand Cross of the "Orden de Mayo", Argentina.

Jan SKUPINSKI

(Poland)

Professor of law, head of Criminal Law Department in the Institute of Law Studies of the Polish Academy of Sciences since 1975.

Barrister in Warsaw since 1992; runs his own law office.

As a holder of scientific title of "Professor of legal sciences", Mr. Skupinski possesses the qualifications required in Poland for appointment to the highest judicial offices (Supreme Court, Constitutional Tribunal).

Fields of activity: criminal substantive law, criminal procedure, comparative law, international law, human rights.

Author of ca 150 publications in Poland and abroad.

Most remarkable publications (in Polish): Model Polish Law of Petty Offences (1974); Criminal policy in Poland (ed.) (1990); Prohibition of torture and other inhuman treatment (1991); Conditional sentence in Polish law, a comparative analysis (1992); International standards of criminal justice and Polish present and future criminal law (ed.) (1995).

1938	Born
1954-1958	Student, Law Faculty, University of Warsaw.
1958	LL.M. degree.
1958-1962	Doctoral student, Polish Academy of Sciences, Institute of Law Studies.
1962-1974	Senior Assistant, adjunct, Institute of Law Studies.
1963	Doctor of Law degree.
1974	Habilitated doctor of law.
1975-	Professor and head of Criminal Law Department, in Institute of Law Studies.
1976-1987	Deputy Editor-in-Chief of Studia Prawnicze (Legal Studies), quarterly of the Polish Academy of Sciences.
1977	LL.M., Columbia University, New York.
1979/1980	Max Planck Institute of Foreign and International Criminal Law, Freiburg (four-month grant).
1978-1983	Professor of Criminal Law and Criminal Policy, University of Lublin.

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1983-1994 Editor-in-Chief of Polish Juridical Bibliography (Yearbook of the Polish Academy of Sciences).

1983-1987 President of the Polish Scientific Association of Criminal Law.

1984-1988 Head of Criminal Law Department, Institute of Criminal Problems (Warsaw).

1984/1985 University of Köln (eight-month grant).

1987-1995 Editor-in-Chief of Studia Prawnicze.

1988/1989 Max Planck Institute of Foreign and International Criminal Law (six-month grant).

1989- Member of Commission for Polish Criminal Law Reform (Ministry of Justice).

1990/1991 Guest Professor, University of Hamburg.

1992 Scientific title of Professor of Legal Sciences.

1992- Barrister, own law office in Warsaw.

Waldo Bandara Srinihal WADUGODAPITIYA

(Sri Lanka)

Profession:	Advocate. Attorney-at-Law of the Supreme Court of Sri Lanka.
Present position:	Judge of the Supreme Court of Sri Lanka. This is the highest Appellate Court in Sri Lanka.
Office address:	Supreme Court of Sri Lanka, Superior Courts Complex, Colombo 12, Sri Lanka. No. 10, Esther Avenue, Park Road, Colombo 5, Sri Lanka.
Permanent residence: (mailing address)	No. 10, Esther Avenue, Park Road, Colombo 5, Sri Lanka.
Date and place of birth:	13 December 1937, Sri Lanka

Languages and degree of proficiency:

	Speak	Read	Write
English	Excellent	Excellent	Excellent
Sinhala	Mother tongue		
French	Fair		

Civil status: Married

Name of spouse: Mrs. Chandrika Jayanthi Wadugodapitiya.

Education

Secondary education at Royal College, Colombo 7, Sri Lanka, 1949-1957.

Bachelor of Laws (LL.B), University of Ceylon, Peradeniya (now known as the University of Peradeniya). Subjects studied included criminal law, international law, constitutional law and jurisprudence, 1958-1961.

Master of Laws (LL.M). Subjects offered: constitutional law and administrative law. University of Colombo, Sri Lanka, 1984-1986. Title of thesis "Some suggestions for statutory intervention in the sphere of administrative law of Sri Lanka".

Professional education

Final Examination for Admission of Advocates. Ceylon Law College, Colombo, August 1962.

Professional qualifications

Called to the Bar as an Advocate of the Supreme Court of Ceylon (now known as Attorney-at-Law) upon completion of six-month period of apprenticeship.

Other training

At the Palais des Nations, Geneva, while attached to the Office of Legal Affairs, participated in a Seminar on International Law and attended the twenty-fourth session of the International Law Commission under a United Nations/UNITAR Fellowship in International Law, June 1972.

In Washington, D.C. at the International Bank for Reconstruction and Development (World Bank), underwent a course of practical training in the Legal Department of the World Bank, including training in all aspects of loan negotiations, June-August 1972.

In New York at the United Nations Secretariat, underwent a course of practical training in the Office of Legal Affairs, August/September 1972.

Training course in civil advocacy sponsored by the Asia Foundation, held at the Center for Trial and Appellate Advocacy, Hastings College of Law, University of California, San Francisco, July 1982.

Training course in criminal trial advocacy also sponsored by the Asia foundation. United States Attorney General's Advocacy Institute, United States Department of Justice, Washington, D.C., August 1982.

Course of five lecture-discussions on "Recent developments in Commonwealth administrative law" conducted by the Faculty of Law of the University of Colombo under its Extension Lecture Series Programme, August/September 1985. Topics dealt with were: statutory exclusion of judicial review; natural justice and procedural fairness; degrees of invalidity of administrative action; locus standi; and error of law on the face of the record.

Course of five lecture-discussions on "Law of evidence in its application to criminal proceedings", conducted by the Faculty of Law of the University of Colombo under its Extension Lecture Series Programme, February 1986. Topics dealt with were: admissibility of illegally obtained evidence; the reception of confessions in criminal trials; the privilege against self-incrimination; the burden of proof; and evidence of system.

Course of lectures on "Professional diplomacy; diplomatic procedure and institutions" by Dr. Vernon L. B. Mendis, UNESCO Representative to Egypt and Sudan, March/April 1988.

Key qualifications

I was engaged in a legal practice for 27 years, following which I have functioned in the role of a Judge of the Supreme Court of Sri Lanka since 1991.

After being called to the Bar as an Advocate on 10 April 1963, I had a short spell of private practice at the Bar and thereafter joined the Attorney-General's Department as a Crown Counsel on 7 July 1966. During a career of 24 1/2 years of continuous service in the Attorney-General's Department as a career Law Officer and a permanent public servant in my Government's employ, I rose steadily in the department, being promoted successively from the post of

Crown Counsel, through the posts of Senior State Counsel, Deputy Solicitor-General and Additional Solicitor-General to the post of Solicitor-General of Sri Lanka.

The result of an active practice as a lawyer for over a quarter of a century was my taking "Silk" as President's Counsel (P.C.), upon being so appointed by His Excellency the President of Sri Lanka on 16 March 1989.

On 13 May 1989, I was appointed by His Excellency the President of Sri Lanka to the prestigious Law Commission of Sri Lanka as one of its Commissioners.

Employment record

From 10 January 1991-present: Judge of the Supreme Court of Sri Lanka.

I have functioned in this position for over six years, having been appointed to the position on 10 January 1991 by His Excellency the President of Sri Lanka.

Under the terms of article 118 of the Constitution of Sri Lanka, "The Supreme Court of the Republic of Sri Lanka shall be the highest and final Superior Court of record in the Republic". The Supreme Court exercises jurisdiction in respect of the following: final appeals in all criminal and matters including writ applications; constitutional matters including the interpretation of the constitution and the constitutionality of Bills to be presented before Parliament; fundamental rights; election petitions; breaches of privileges of Parliament, and consultative jurisdiction.

The Supreme Court of Sri Lanka consists of 11 judges and I rank sixth in order of seniority.

Since November 1996 I have also functioned as a member of the Board of Management of the Sri Lanka Judges' Institute, which is vested with the task of training members of the minor judiciary of Sri Lanka.

1966-1991: State Counsel/Senior State Counsel/Deputy Solicitor-General/Additional Solicitor-General/Solicitor-General (successive positions) of Sri Lanka in the Attorney-General's Department of Sri Lanka.

February 1989-January 1991: On 15 February 1989, appointed Solicitor-General of Sri Lanka and on 16 March 1989, appointed President's Counsel (P.C.). A President's Counsel in Sri Lanka is the equivalent of a Queen's Counsel (Q.C.) in the United Kingdom.

As Solicitor-General in the Attorney-General's Department, I was one of the two Law Officers of the Republic of Sri Lanka and ranked next to the Attorney-General and the Second-in-Command in the Attorney-General's Department. In addition, I was also entrusted with the responsibility for the functioning of the Civil Division of the department of which I was the Head, having earlier functioned as the Head of the Criminal Division. The scope of work included, inter alia, allocation and supervision of the work of senior staff officers of

the Department; preparation of reports and opinions and tendering of legal advice, including advising the President and all ministries and departments of the Government on constitutional matters, interpretation and application of laws, rules and regulations, etc.; and drafting of legal papers and appearing in Court.

In June 1989, April 1990 and September 1990, I was appointed Acting Attorney-General. In April 1989, I was appointed a member of the Development Committee of the Ministry of Justice and Parliamentary Affairs, which is charged with the formulation of a policy agenda and economic plan within the framework of the overall Government Action Plan.

In May 1989, I was appointed a Commissioner of the Law Commission of Sri Lanka by His Excellency, the President of Sri Lanka. This institution was established by an Act of Parliament, namely the Law Commission Act No. 3 of 1969, and has as its main objective, the systematic development and reform of the law of Sri Lanka including, in particular, the codification and modernization of the law.

From 1982 to 1988, I functioned as Additional Solicitor-General, which in capacity of Additional Solicitor-General, I functioned as the Head of the Criminal Division of the Attorney-General's Department.

Major appointments and tasks carried out during this period:

- January 1984. Organizer of Conference of Attorneys-General (Asia and Pacific region).

- September 1984. Director of the Law Officers' Research Centre (Asia, Pacific and Indian Ocean region).

- December 1985. Acting Solicitor-General of the Attorney-General's Department.

- August 1986. Led presentation of evidence before the Presidential Commission of Inquiry into breach of the Kantalai Tank Bund, a national disaster which occurred on 20 April 1986.

- September 1988. Legal Consultant on an Asian Development Bank Technical Advisory to the Government of Bhutan for the institutional strengthening of the Department of National Budgets and Accounts.

- February 1981, October 1987. Acting Bribery Commissioner.

- 1979-1981. Acting Additional Solicitor-General.

- 1977-1978. Acting Deputy Solicitor-General/Deputy Solicitor-General.

- 1966-1976. Acting Crown Counsel/Crown Counsel/Senior State Counsel. Initially engaged as State Prosecutor in criminal cases representing the Attorney-General of Sri Lanka and subsequently in the capacity of

Senior Counsel attached to the Civil Division of the Department until promoted to the position of Deputy Solicitor-General.

International participation

July 1988. Represented the Government of Sri Lanka at the final negotiations in New York of a loan of $10 million to the Government of Sri Lanka for a low income shelter programme. Participated in the finalization of negotiations in New York. Signed and tendered legal opinion thereon at the conclusion of the negotiations.

May 1982. Member of the Sri Lanka delegation to the twenty-second session of the Asian-African Legal Consultative Committee, Colombo. Functioned as the Sri Lanka delegate to the Committee on Trade Law and the Committee on Reciprocal Assistance in Judicial Matters.

July 1980. Legal Adviser to the Sri Lanka delegation in talks with the Government of Mauritius on formulating a bilateral air transport agreement.

May 1974. Legal Adviser to the Sri Lanka delegation in talks with the Government of Austria on formulating a bilateral air transport agreement.

September 1972. Legal Adviser to the Sri Lanka delegation to the twenty-seventh regular session of the United Nations General Assembly. Also participated in the deliberations of the Third, Fourth and Sixth Committees and functioned as an observer at the meetings of the Security Council.

Other key appointments

9 November 1989. Member of a presidential subcommittee on the issue of Sri Lankan passports and resident visas to non-nationals and to the formulation of a resident guest scheme for non-nationals.

January 1990. Member of the Permanent Committee for the purpose of implementing the above scheme.

25 September 1990. Commission of one under the Commissions of Inquiry Act to inquire into and report on certain allegations concerning Sri Lanka in a book authored by Victor Ostrovsky, a former Mossad officer. Visited Ottawa and Washington, D.C. for purposes of conducting interviews in connection with the Commission of Inquiry.

Publications

Some suggestions for statutory intervention in the sphere of administrative law of Sri Lanka.

Manual of procedure setting out comprehensive procedures and guidelines designed to assist third world Governments in negotiating and complying with external loan agreements and technical assistance agreements with the World Bank.

Peter H. WILKITZKI

(Germany)

Born on 4 July 1942 in Fürth, Bavaria.

Married, with four children.

Education and professional positions (not comprehensive)

1965	First State Examination in Law.
1969	Second State Examination in Law.
1965-1970	Scientific work at the Institute of Criminal Law Science. University of Erlangen-Nürnberg.
1970-1973	Judge and public prosecutor in the court district of Nürnberg, Higher Regional Court.
1973-	Employment in the Federal Ministry of Justice.
1973-1978	Section member responsible for criminal law, reform of the Criminal Code, including, inter alia, responsibility for criminal issues arising in relation to public international law.
1978-1984	Section member and Deputy Head of the section covering international criminal law.
1984	Head of the section covering juvenile criminal law.
1984-1996	Head of the section covering international criminal law with responsibility for the following areas (not comprehensive):

- Criminal law cooperation (drawing up domestic and international legal instruments as well as dealing with individual cases);
- Cooperation with international courts, including development and parliamentary handling of the German Act on Cooperation with the International tribunal for the Former Yugoslavia at The Hague.
- Deployment as the Federal Government official liaising with the above Tribunal, including representation of the Federal Republic of Germany in cases before the Tribunal (Tadić case).

1996-	Head of Subdivision A of the Criminal Law Division.

International activities (not comprehensive)

Council of Europe

1985- Representative of Germany on Criminal Law Committees of the Council of Europe (Steering Committee on Crime Problems and numerous subcommittees).

1989-1992 Chairman of the Subcommittee on Operation of Conventions in the Criminal Field of the Council of Europe.

1989-1993 Member, and from 1991 Chairman, of the Board of the Steering Committee on Crime Problems of the Council of Europe.

Association Internationale de Droit Pénal

1989- Member of the Executive Board of the German National Group of the International Association of Penal Law (IAPL).

1994- Deputy Secretary General of IAPL (NGO with consultative status at the United Nations, particularly engaged in questions concerning international criminal law and the establishment of international criminal courts).

United Nations

Member of the German delegation at the diplomatic conference convened to draw up the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 1988.

Participation at the United Nations Congresses on Crime Prevention, Havana, 1990, and Cairo, 1996.

Participation and collaboration at numerous other conferences on subjects of international criminal law (e.g. International Institute of Higher Studies in Criminal Sciences, Siracusa), including lectures and publications.

Publications (not comprehensive)

Vogler/Wilkitzki, Kommentar zum deutschen Gesetz über die internationale Rechtshilfe in Strafsachen, 1st ed., 1992.

Co-author of: Bassiouni, International Criminal Law, 2nd rev. ed. (in press).

Author of the German national reports on the following IAPL Congresses:

- Fourteenth International Congress on Penal Law, Vienna, 1989. Topic: "International Crimes and Domestic Criminal Law". English version of the German national report published in Révue international de Droit penal (RIDP) 60 (1989), p. 263.

- Fifteenth International Congress on Penal Law, Rio de Janeiro, 1994. Topic: The Regionalization of International Criminal Law. English version of the German national report published in RIDP 65 (1994), p. 289.

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Fifty-third session
Item 149 of the provisional agenda*
Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

Letter dated 18 August 1998 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General**

Upon instructions from my Government, I have the honour to welcome the timely statement by the President of the Security Council to the press on 13 August 1998 on the "continuing escalation of the armed conflict in Afghanistan caused by the Taliban forces' offensive in northern Afghanistan", in which the President said in part:

> "The Security Council is deeply concerned at the reports of the capture by the Taliban of the Consulate General of the Islamic Republic of Iran in Mazar-e-Sharif and the rough treatment of its personnel. It strongly warns the perpetrators of this flagrant violation of the recognized norms and principles of international law against causing any further harm to their captives and demands the immediate release of the personnel of the Consulate General of the Islamic Republic of Iran in Mazar-e-Sharif, as well as of the Islamic Republic News Agency (IRNA) correspondent in that city."

In addition to the 11 personnel of the Consulate General of the Islamic Republic of Iran in Mazar-e-Sharif and the IRNA correspondent, 36 Iranian relief workers carrying foodstuffs in trucks have also been detained by the Taliban forces on the day of the offensive campaign against that city on 8 August 1998. They have all been reportedly transferred to Kandahar. The names of all detainees are herewith attached as an annex to the present letter.

It may be pointed out that at the outset of the Taliban offensive campaign to the north of Afghanistan, the Islamic Republic of Iran had sought assurances from the Government of Pakistan that the security of the Consulate-General of the Islamic Republic of Iran in Mazar-e-Sharif and the integrity and safety of its personnel would not be violated.

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* A/53/150.

** Previously issued as document S/1998/776.

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I wish to report, with extreme concern, that as of this morning the Taliban leaders have not been forthcoming and there has been no progress towards the resolution of this highly serious problem.

The Government of the Islamic Republic of Iran regards further delay in the release of its nationals totally unacceptable. It is ultimately responsible for the safety and security of its nationals and is fully prepared to live up to its responsibility. The Government of the Islamic Republic of Iran nevertheless wishes to see its nationals released unharmed and expeditiously without any further delay through negotiation and in an amicable fashion.

Hence, the Government of the Islamic Republic of Iran calls upon the Secretary-General and the Security Council to continue to regard this issue as vitally important and to use the good offices of the United Nations to impress upon the Taliban, and the Governments in a position to assist, in ensuring the safety and immediate release of the Iranian captives.

It would be highly appreciated if the text of the present letter and its annex were circulated as a document of the General Assembly under agenda item 149 of the provisional agenda of its fifty-third session.

(*Signed*) Hadi **Nejad-Hosseinian**
Ambassador
Permanent Representative

Annex

Personnel of the Consulate-General of the Islamic Republic of Iran in Mazar-e-Sharif

1. Mr. Nasser Rigi
2. Mr. Majid Noori
3. Mr. Noorullah Norouzi
4. Mr. Heydar Ali Bagheri
5. Mr. Mohammad Nasser Nasser Jazdar
6. Mr. Hossein Akbari
7. Mr. Rashid Pariav Fallalh
8. Mr. Mohmmad Ali Ghiasi
9. Mr. Karim Heydarian
10. Mr. Allahdad Shahsavan Ghareh Hosseini
11. Mr. Mohmmad Hossein Jafarian

Correspondent of the Islamic Republic News Agency

Mr. Mahmoud Saremi

Iranian relief workers

1. Mr. Gholamhossein Hosseini
2. Mr. Gholamreza Anbarestani
3. Mr. Hossein Ekrami
4. Mr. Mohammad Dehnavi
5. Mr. Gholamreza Pursaadat
6. Mr. Mohammadhossein Fakumoghaddam
7. Mr. Mansour Sangaki
8. Mr. Gholamreza Barati
9. Mr. Hassan Rezai
10. Mr. Mohammad Mamish Ghalenour
11. Mr. Alireza Asadollahi
12. Mr. Abolghasem Yazdani Tavallai
13. Mr. Aliakbar Shahsavari Kheirabadi
14. Mr. Alireza Saedi
15. Mr. Esmail Afagha
16. Mr. Abolghasem Mazinani
17. Mr. Mehdi Hafaee
18. Mr. Ali Afshari Tabrizi
19. Mr. Majafali Molla Salehi
20. Mr. Ghadir Nezamivand Chegini
21. Mr. Kasra Tavakoli Kesheh
22. Mr. Abolfazl Abasali
23. Mr. Gholamhossein Yousofi Moghaddam
24. Mr. Reza Yousofi Moghaddam
25. Mr. Abas Zarea Fakhrabadi
26. Mr. Mohammadjavad Salari
27. Mr. Hadj Aliakbar Jahanbakhsh
28. Mr. Hamid (Son of Hossein)

29. Mr. Golamreza Armin
30. Mr. Jahangir Askari
31. Mr. Hassan Tarragh
32. Mr. Hamid Tahmasebi Lotfabadi
33. Mr. Saed Reza Mousavi Aghdas
34. Mr. Jahangir Alasavandi
35. Mr. Hossein Rezapour
36. Mr. Asadollah Meamar